

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILLIAM DUTCHER.

Plaintiff,

V.

JOSEPH LEHMAN,

Defendant.

CASE NO. C04-5506RBL

ORDER

The Court, having reviewed defendants' motion for summary judgment (Dkt. #34) and plaintiff's motion for partial summary judgment (Dkt. #35), the Report and Recommendation of United States Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendant's motion for summary judgment is GRANTED;
- (3) Plaintiff's motion for partial summary judgment is DENIED; and
- (4) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge Karen L. Strombom.

DATED this 16th day of December, 2005.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE